

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 22-26 and 51-53 are active in the application subsequent to entry of this Amendment.

Claims 27-50, directed to non-elected subject matter, have been canceled, it being understood this action is taken without prejudice to divisional applications directed to the subject matter of these claims.

Claims 22 and 52 have been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention. These claims are amended and directed to the conditions/pathologies contemplated in original claims 5-7 excluding however asthma, melanoma, anti-inflammatory and anti-nociceptive activity.

The sole issue raised in the outstanding Official Action is the rejection of claims 24 and 25 as being anticipated by Koda et al, Morre et al and Januze et al. As pointed out on page 3 of the Official Action, these documents relate to compounds used in the treatment of asthma, the inhibition of melanoma cells and as anti-inflammatory and anti-nociceptive compounds, indications which are not included in the amended claims as presented above. For these reasons, the prior art-based rejections should be withdrawn.

The claims remaining in this application, namely claims 23, 26, 51 and 53 are not the subject of any prior art-based rejection, accordingly these claims should be allowed as well as amended claims 22 and 52.

Reconsideration and favorable action are solicited.

BISOGNO et al.
Appl. No. 09/787,764
March 31, 2004

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Arthur R. Crawford
Reg. No. 25,327

ARC:eaw
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100